

AMENDED IN SENATE JUNE 17, 2002

AMENDED IN SENATE SEPTEMBER 14, 2001

AMENDED IN ASSEMBLY APRIL 26, 2001

AMENDED IN ASSEMBLY APRIL 2, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1243

Introduced by Assembly Member Wiggins

February 23, 2001

~~An act to add Section 71.75 to the Harbors and Navigation Code, relating to marinas. An act to add Sections 20422.5 and 20441.5 to the Government Code, relating to public employees' retirement, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1243, as amended, Wiggins. ~~Spud Point Marina—Public employees' retirement: welfare fraud investigators.~~

Under the Public Employees' Retirement Law, employees of contracting agencies classified as local safety members are entitled to generally higher benefits, and subject to higher contribution rates, than those employees classified as local miscellaneous members. County peace officers, as defined, are included within the local safety member classification. Member contributions are deposited in the Public Employees' Retirement Fund, a continuously appropriated fund.

This bill would authorize contracting agencies to include specified welfare fraud investigators within the local safety member classification or to designate those investigators as county peace

officers. The bill would make an appropriation by increasing the amount of employee contributions to the Public Employees' Retirement Fund.

~~Existing law authorizes the Department of Boating and Waterways and the County of Sonoma to establish a loan agreement relating to Spud Point Marina and permits the parties to renegotiate the agreement.~~

~~This bill would require the department to suspend the collection of all loan and interest payments due under the agreement until July 1, 2003.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. — Section 71.75 is added to the Harbors and~~
 2 *SECTION 1. Section 20422.5 is added to the Government*
 3 *Code, to read:*
 4 *20422.5. (a) "Local safety member" also includes any*
 5 *welfare fraud investigator employed by a contracting agency who*
 6 *is a peace officer, as defined in subdivision (a) of Section 830.35*
 7 *of the Penal Code, whose primary responsibility is maintaining the*
 8 *peace, and whose principal duties include active law enforcement;*
 9 *but excluding clerical personnel or those whose principal duties*
 10 *are that of communications officer, identification officer,*
 11 *machinist, mechanic, security officer, or are otherwise clearly*
 12 *within the scope of active law enforcement, even though the person*
 13 *is subject to occasional call, or is occasionally called upon, to*
 14 *perform duties within the scope of active law enforcement.*
 15 *(b) This section does not apply to any contracting agency nor*
 16 *to the employees of a contracting agency until the agency elects to*
 17 *be subject to this section by amendment to its contract with the*
 18 *board pursuant to Section 20474, or by express provision in its*
 19 *contract with the board.*
 20 *SEC. 2. Section 20441.5 is added to the Government Code, to*
 21 *read:*
 22 *20441.5. (a) "County peace officer" shall also include any*
 23 *welfare fraud investigator employed by a county department of*
 24 *social services who is a peace officer, as defined in subdivision (a)*
 25 *of Section 830.35 of the Penal Code, whose primary responsibility*
 26 *is maintaining the peace, whose duties include active law*

1 enforcement; but excluding clerical personnel or those whose
2 principal duties are that of communications officer, identification
3 officer, machinist, mechanic, security officer, or are otherwise
4 clearly within the scope of active law enforcement, even though the
5 person is subject to occasional call, or is occasionally called upon
6 to perform duties within the scope of active law enforcement.

7 (b) This section does not apply to any contracting agency nor
8 to the employees of a contracting agency until the agency elects to
9 be subject to this section by amendment to its contract with the
10 board pursuant to Section 20474, or by express provision in its
11 contract with the board.

12 Navigation Code, to read:

13 ~~71.75. (a) Notwithstanding the provisions of the existing~~
14 ~~loan agreement between the department and the County of~~
15 ~~Sonoma relating to the Spud Point Marina referred to in Section~~
16 ~~71.7, the department shall suspend the collection of all loan and~~
17 ~~interest payments and penalties, and the accrual of further interest~~
18 ~~and penalties under that loan agreement until July 1, 2003, or until~~
19 ~~an earlier date to which the County of Sonoma and the department~~
20 ~~may agree.~~

21 ~~(b) The Legislature finds and declares that the County of~~
22 ~~Sonoma and the department are engaged in good faith negotiations~~
23 ~~in an effort to resolve their dispute as to the outstanding debt owed~~
24 ~~by the county to the department and an additional extension will~~
25 ~~provide the parties with the time to complete their negotiations.~~
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